

HOUSE BILL 222

By Chism

AN ACT to amend Tennessee Code Annotated, Title 39;
Title 40 and Title 41, relative to correctional
institutions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-4-121, is amended by adding the following as a new subsection:

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(1) Notwithstanding this section, if a prisoner is pregnant, beginning on the date on which pregnancy is confirmed by a healthcare professional and ending at the conclusion of postpartum recovery, then the pregnant prisoner shall not be removed to a state penitentiary or a branch prison for safekeeping, unless medically necessary for the health of the prisoner or the unborn child.

(2) As used in this section, "postpartum recovery" means the six-week period, or longer as determined by the healthcare professional responsible for the prisoner's health care, following delivery, stillbirth, miscarriage, ectopic pregnancy, or other non-live birth outcome, and includes the entire period that the prisoner is in the hospital or infirmary, if applicable.

SECTION 2. Tennessee Code Annotated, Section 41-21-402, is amended by adding the following as a new subsection:

(c) Solitary confinement is prohibited for pregnant inmates and inmates who have given birth within the past eight (8) weeks regardless of whether the purpose of confinement is for punishment or safekeeping.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.